

REMARKS

The Office Action dated August 24, 2006, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 22-25, 58-59, and 97 are presently under examination, claims 70-96 having been withdrawn from examination by the Examiner. Claims 22-25, 58-59, and 97 have been amended to more particularly point out and distinctly claim the invention. No new matter has been added. Claims 22-25, 58-59, and 97 are respectfully submitted for consideration.

The restriction to claims 22-25, 58-59, and 97 has been made final. Applicants thank the Examiner for the clarification that claims 22-25, 58-59, and 97 correspond to the elected Group I, and, thus, that claims 22-25, 58-59, and 97 will be examined together.

Claims 58-59 were rejected under 35 U.S.C. 112, first paragraph, as failing to meet the enablement requirement. In particular, the Office Action took the position that claim 58 is a "single means" claim. The Office Action took the position that claim 59 is rejected by virtue of its dependency from claim 58. Applicants have amended claim 58, and it is respectfully submitted that the amendment to claim 58 renders this rejection moot. It is, therefore, respectfully requested that the rejection of claims 58-59 be withdrawn.

Claims 22-25, 58-59, and 97 were rejected under 35 U.S.C. 112, second paragraph as being indefinite. The particular rejections are set forth below.

The Office Action objected to the phrase “working a workpiece” as found in claims 22 and 58. Applicants respectfully submit that this rejection is moot in view of the amendments to claims 22 and 38. It is, therefore, respectfully requested that this rejection be withdrawn.

The Office Action objected to the term “and the number” in claim 23. The Office Action took the position that claim 22, upon which claim 23 depends, “requires that only one or the other is determined.” Applicants respectfully traverse this rejection. Applicants respectfully disagree with the Office Action’s position.

The USPTO is required to give the claims the broadest reasonable interpretation. *See* MPEP 904.01; and *In re Morris*, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997). In claim 22, the word “only” does not appear in conjunction with the word “or,” as described by the Office Action. Instead, the word “or” is used alone. Accordingly, claim 22, understood broadly, does not require that only one or the other is minimized. Furthermore, claim 23 does not require that both be minimized, just that both exist and that they are weighted as particularly recited in claim 23. Since the two numbers are already recited in claim 22, it is proper to use the word “the” to make antecedent reference to these features. Accordingly, Applicants respectfully request that this rejection of claims 22-23 be withdrawn.

The Office Action objected to the term “difference” in claim 23. Claim 23 has been amended, and it is respectfully submitted that the rejection to claim 23 is moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claim 23 be withdrawn.

The Office Action objected to the terms “the interval of said working means,” “that time,” and “the time” in claim 24. Claim 24 has been amended, and it is respectfully submitted that the rejection to claim 24 is moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claim 24 be withdrawn.

Applicants note that the term “interval” has been replaced by the term “distance.” That “interval” refers to a distance in the specification can be confirmed from page 8, lines 11-13, which states: “The interval between the left and right galvano units 22L and 22R (unit interval) A can be set about in the range, for example, from 150 to 300 mm.” Accordingly, Applicants respectfully submit that the change in wording does not constitute new matter.

The Office Action objected to the terms “the process” and “a different workpiece direction” in claim 25. Claim 25 has been amended, and it is respectfully submitted that the rejection to claim 25 is moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claim 25 be withdrawn.

The Office Action objected to the terms “the processing” and “a different workpiece direction” in claim 59. Claim 59 has been amended, and it is respectfully

submitted that the rejection to claim 59 is moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claim 59 be withdrawn.

The Office Action objected to the term “a different workpiece direction” in claim 97. Claim 97 has been amended, and it is respectfully submitted that the rejection to claim 97 is moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claim 97 be withdrawn.

Claims 22-25, 58-59, and 97 were rejected under 35 U.S.C. 101 as being directed toward non-statutory subject matter. In particular, the Office Action took the position that the claims are directed toward an abstract idea. The basis for this assertion is that the claims allegedly do not transform an article or physical object into another article or physical object and allegedly do not produce a useful, concrete, and tangible result.

Claim 22 and 58 have been amended, and it is respectfully submitted that the rejection of claims 22-25, 58-59, and 97 are moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claims 22-25, 58-59, and 97 be withdrawn.

Additionally, the Office Action objected that claims 58-59 may refer to a software invention, and thus should specify that the invention is “embodied on a computer readable medium” in order to be statutory subject matter. Claims 58 and 59 have been amended, and it is respectfully submitted that the rejection of claims 58-59 are moot in view of the amendment thereto. It is, therefore, respectfully requested that the rejection of claims 22-25, 58-59, and 97 be withdrawn.

Claims 22-25, 58-59, and 97 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-149317 or EP 0525497. Applicants respectfully traverse these rejections.

Claim 22, upon which claims 23-25 and 97 depend, is directed to a working method in simultaneously working on a workpiece placed on a movable stage by a plurality of working units capable of scanning or moving working means within a working area. The method includes determining a distance between the working units so that a number of scanning or moving the working means or a number of moving the stage is minimized. The method also includes working on a workpiece based on a result of said determining.

Claim 58, upon which claim 59 depends, is directed to a working planning device for planning working in working on a workpiece placed on a movable stage simultaneously using a plurality of working units capable of scanning working means in a working area. The device also includes unit distance determining means for determining a distance of the working units so that a number of scanning or moving the working means or a number of moving the stage is minimized. The device further includes output means for providing a plan to be used for working on a workpiece. If the unit distance determining means and the output means are implemented in software, the software is embodied on a computer readable medium.

Applicants respectfully submit that JP 11-149317 or EP 0525497 fails to disclose or suggest all of the elements of any of the presently pending claims.

JP 11-149317 generally relates to a working machine for processing a semiconductor wafer. As explained in paragraph [0013] with reference to paragraphs [0009] to [0012], JP 11-149317 aims to solve the problem of minimizing path decision computation time and floor to floor time.

With regard to JP 11-149317, the Office Action cited the abstract of the application. However, the abstract of JP 11-149317 does not disclose or suggest “determining a distance between the working units so that a number of scanning or moving the working means or a number of moving the stage is minimized” as recited by claim 22, or “unit distance determining means for determining a distance of the working units so that a number of scanning or moving the working means or a number of moving the stage is minimized” as recited by claim 58.

In particular, JP 11-149317 does not mention minimizing any particular number. It simply states that “The main controller 50 decides the inter-chip optimum route connecting all the chips 2. It does not explain that this done by determining a distance or by minimizing any particular number.

EP 0525497 generally relates to method for rapidly forming via holes in inorganic dielectric layers or more particularly to rapidly forming via holes in multilayer electronic circuits. As explained at page 2, lines 34-37, EP 0525497 aims to provide a method that is capable of meeting the demands of commercial assembly procedure.

With regard to EP 0525497, the Office Action cited page 6, lines 5-16. However, the cited passage does not disclose or suggest “determining a distance between the

working units so that a number of scanning or moving the working means or a number of moving the stage is minimized” as recited by claim 22, or “unit distance determining means for determining a distance of the working units so that a number of scanning or moving the working means or a number of moving the stage is minimized” as recited by claim 58.

In particular, EP 0525497 does not mention minimizing any particular number. Instead, the cited passage simply mentions that an algorithm of the symmetric traveling salesman problem can be used to help minimize the movement distance of the laser beam. It does not explain that this done by minimizing any particular number.

Accordingly, Applicants respectfully submit that JP 11-149317 or EP 0525497 fails to disclose or suggest all of the elements of claims 22 and 58. It is, therefore, respectfully requested that the rejection of claims 22 and 58 be withdrawn.

Claims 23-25, 59, and 97 depend respectively from, and further limit, claims 22 and 58. It is, thus, respectfully submitted that claims 23-25, 59, and 97 recite subject matter that is neither disclosed nor suggested by JP 11-149317 or EP 0525497. Therefore, it is respectfully requested that the rejection of claims 23-25, 59, and 97 be withdrawn.

Claims 22-25, 58-59, and 97 were rejected under 35 U.S.C. 102(a) as being anticipated by JP2001-195112. Applicants respectfully traverse this rejection, because JP2001-195112. JP2001-195112 was published July 19, 2001. The present application claims priority to JP 2000-345417, which was filed November 13, 2000, a verified

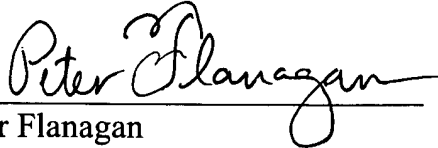
translation of which accompanies this response. A certified copy of the priority document was filed together with the application, and has been acknowledged in the Office Action. It is, therefore, respectfully submitted that the present application antedates JP2001-195112, and therefore JP2001-195112 is not proper prior art with regard to the present application, and it is respectfully requested that the rejection of claims 22-25, 58-59, and 97 be withdrawn.

For the reasons explained above, it is respectfully submitted that each of claims 22-25, 58-59, and 97 is definite, is enabled, and recites subject matter that is neither disclosed nor suggested in the prior art. It is, therefore, respectfully requested that all of claims 22-25, 58-59, and 97 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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